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IAP68  
OCT 14 2005  
PATENT & TRADEMARK OFFICE

**Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**

# **FEE TRANSMITTAL for FY 2005**

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT**

(\$)  
395

<b>Complete If Known</b>	
Application Number	09/773,303
Filing Date	January 31, 2001
First Named Inventor	Proctor, Larry M.
Examiner Name	McElwain, Elizabeth F.
Art Unit	1638
Attorney Docket No.	414634

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) : \_\_\_\_\_

Deposit Account Deposit Account Number: 12-0600 Deposit Account Name: Lathrop & Gage L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

Under 37 CFR 1.16 and 1.17

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<b>Application Type</b>	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 30 (including Reissues)

Multiple dependent claims

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Small Entity</b>	
				<b>Fee (\$)</b>	<b>Fee (\$)</b>

-20 or HP= \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	
				<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>

- 3 or HP= \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	_____

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : RCE \_\_\_\_\_ \$395

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	41,935	Telephone	720 931 3021
Name (Print/Type)	David J. Lee			Date	October 14, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

10-17-05

RCE/1638

Attorney Docket No. 414634

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37-CFR 1.10)**

Applicant(s): Larry M. Proctor

Matter No.

414634

Serial No.	Filing Date	Examiner	Group Art Unit
09/773,303	January 31, 2001	McElwain, Elizabeth F.	1638

Invention **FIELD BEAN CULTIVAR NAMED ENOLA**

I hereby certify that this:

1. Request for Continued Examination (RCE) Transmittal (1 page)
2. Amendment - Response to Office Action mailed April 14, 2005 (25 pages)
3. Appendix A (10 pages & cover page)
4. Declaration of Larry M. Proctor, including attachments (5 pages)
5. Declaration of Polly Proctor, including attachments (85 pages)
6. Fee Transmittal For FY 2005 (1 page in duplicate)
7. Petition For Extension of Time Under 37 CFR 1.136(a) (1 page in duplicate)
8. Return Postcard

are being mailed in an envelope addressed to: Mail Stop REISSUE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14th day of October 2005.

MiMi Nguyen

Name of Depositor

Signature of Depositor

EV196803636US

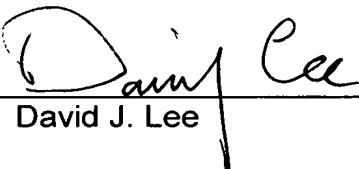
Express Mail Label No.

**CERTIFICATE OF SERVICE  
37 C.F.R. §1.248**

The undersigned certifies that on October 14, 2005, a copy of the foregoing amendment including all attachments was mailed by first class mail bearing sufficient postage to:

Dr. John H. Dodd's  
Dodd's & Associates  
1707 N. St. NW  
Washington, D.C. 20036

The attachments include those specified in the amendment, additionally including a Petition for Three Months Extension of Time, Transmittal, Fee Transmittal, Certificate of Mailing.

  
\_\_\_\_\_  
By: David J. Lee

  
\_\_\_\_\_  
Date